

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:
JUAN EDGARDO MORA
MARIA INES JOVE RAMOS

Debtors

CASE NO. 14 – 04676 – MCF12

Chapter 12

**EMERGENCY MOTION REQUESTING ENTRY OF ORDER TO STOP DIRECT
DEBITS FROM DEBTOR'S MILK PRODUCTION TO ALLOW THE DEBTOR TO
RECUPERATE HIS PRODUCTION AND OPERATIONS
AFTER THE PASSING OF HURRICANE MARIA**

TO THE HONORABLE COURT

COMES NOW, the Debtors, JUAN E MORA and MARIA I JOVE, represented by the undersigned attorney and respectfully set forth and pray:

1. On June 5, 2014 JUAN EDGARDO MORA and MARIA INES JOVE RAMOS (the "Debtors") filed a voluntary petition for relief under the provisions of 11 U.S.C. §1201 et. seq., and as of that date they have been managing their affairs and operating their business.
2. The Debtors operate a dairy farm located at Hato Abajo Ward, Rd. 653 Km. 3.4 in Arecibo PR. They have a bi-weekly milk production quota of 28,500 liters. The Debtors

sell their milk production to Suiza Dairy Debtor's Chapter 12 Plan was confirmed on January 23, 2015 (Docket No. 60).

3. To this date the Debtors have been complying with the Chapter 12 Plan payments, which is \$1,150.00 (per week), paid from direct debits from milk sales to SUIZA DAIRY CORP. basis to the Chapter 12 Trustee, José R. Carrión Morales.
4. On September 20, 2017 hurricane María passed over Puerto Rico and severely affected Debtors' farm and operations. To summarize the damage made by the hurricane the Debtor:
 - a. 5 dead cows
 - b. 8 dead calves
 - c. Milking Parlor had the "galvalume" (metal roof) destroyed completely.
 - d. The Debtor has not given his cows concentrated cow feeding since September 20, 2017 since the grain-processing mill "Federación de Asociaciones Pecuarias", located in Mayaguez PR is not operating. Additionally the inventory of cow feeding in stock was destroyed since the roof keeping it dry was destroyed.
 - e. See Sworn Statement included as **EXHIBIT 1**.
5. The Debtors request that this Honorable Court enters an order allowing them to detain payments to the Chapter 12 Trustee for the next 16 weeks. And that the amount of payments due (\$1,150.00 per week) will be satisfied by the Debtors on an lump sum amount in the last payment, in the alternative the Debtor will inform the Court, Creditors and the Chapter 12 Trustee in 45 days of their status of his operation and will file a Post Confirmation Modification of their Chapter 12 Plan if ordered or needed.

6. The Debtors have an urgency of the funds debited from production since these funds have to be used to purchase goods for the continuation of their operation on a cash basis, such as diesel and cow feeding. Specifically the Debtors have to procure concentrated cow feeding in one of the two other existing grain mills in Puerto Rico and these purchases by a “new client” to this mills will require him to pay in advance before the order ships to his dairy farm.
7. The amount of time without cow feeding is basically two weeks now and the Debtors have an urgency to fix this before production can no longer be recovered. (cows will basically dry up and will no longer produce milk in the amount needed for sales purposes).
8. The Debtors need these funds to maintain their dairy farm operational while the emergency provoked by hurricane María is resolved.
9. The Debtors request that this Motion is approved on an emergency basis.
10. Debtor’s counsel can be contacted by phone on (787) 364 – 3188 and (787) 806 -7119. The email is hmjlaw2@gmail.com.

WHEREFORE the Debtors herein request this Honorable Court enters an order allowing them to detain payments to the Chapter 12 Trustee for the next 16 weeks. And that the amount of payments due (\$1,150.00 per week) will be satisfied by the Debtors on an lump sum amount in the last payment, in the alternative the Debtors will inform the Court, Creditors and the Chapter 12 Trustee in 45 days of their status of his business operation and will file a Post Confirmation Modification of their Chapter 12 Plan if ordered or needed. The Debtors requests that this Order

is approved retroactive to September 8, 2017, which is the week the weather –related problems began in the mil industry.

RESPECTFULLY SUBMITTED,

In Mayaguez, Puerto Rico this 5th day of October of 2017.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY: that on this date I electronically filed the above document with the Clerk of the court using the CM/ECF System which sends notification of such filing to United States Trustee and to all registered participants and by mail to all creditors who do not receive electronic notice as per attached master address list.

/s/HOMEL MERCADO JUSTINIANO

USDC- PR - 229705

Calle Ramírez Silva # 8

Ensanche Martínez

Mayagüez, PR 00680-4714

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Yo María I. José Ramos, casada con Juan E. Mora
maderos y vecinos de Arecibo, PR bajo juramento declaro
lo siguiente:

- ① Soy ganadero con mi esposo Juan Mora Román con licencia
de la ORIL 3242
- ② La vaquería está localizada en Barrio Lacovado, en Hato
Arecibo Rico, Carr. 493, km 2.1
- ③ Suprimo los siguientes datos bajo el peso del huacón
Mara:

 - a) Vacas Muertas (5)
 - b) Yechos caídos, todo se calpara
 - c) Becenas muertas, (8)
 - d) Vacas enfermas terminales (8)

- ④ Estoy sin alimento de vacas para ordeñar y llevo días
sin alimento. El día 20 de septiembre de 2017,
perdí todo el alimento y estuve hasta el 28
de septiembre de 2017 sin alimento.
- ⑤ Estoy sacando 700 litros diarios.
- ⑥ Estoy produciendo una cantidad de leche que no permite
an el pbr de pago

OFF. 1688

jurado y suscribo por María I. José Ramos, a quien conozco
conocimiento personal. En Arecibo, Puerto Rico mes y 3 de
diciembre de 2017.

María I. José Ramos
[Signature]



SEIO



08/31/2017
\$5.00

Sello de Asistencia Local
00029-2017-0831-32378346

Label Matrix for local noticing #104-3 Case 14-04676-MCF12 District of Puerto Rico Old San Juan Thu Oct 5 06:20:19 AST 2017	BANCO POPULAR PR SPECIAL LOANS PO BOX 362708 SAN JUAN, PR 00936-2708	FEDERACION PECUARIAS DE PR INC ONEILL & GILMORE PSC CITY TOWERS SUITE 1701 252 PONCE DE LEON AVENUE SAN JUAN, PR 00918-2019
ORIENTAL BANK PO BOX 195115 SAN JUAN, PR 00919-5115	STATE INSURANCE FUND WALLY DE LA ROSA VIDAL PO BOX 365028 SAN JUAN, PR 00936-5028	TRIANGLE CAYMAN ASSET COMPANY C/O CAPITAL CROSSING PUERTO RICO, LLC 221 PONCE DE LEON AVE. SUITE 1204 HATO REY, PR 00917-1806
US Bankruptcy Court District of P.R. Jose V Toledo Fed Bldg & US Courthouse 100 Recinto Sur Street, Room 109 San Juan, PR 00901-1964	Department of Treasury Bankruptcy Section (424) P.O. Box 9024140 San Juan PR 00902-4140	AAA PO Box 70101 San Juan, PR 00936-8101
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Treasury Department PO Box 9022501 San Juan, PR 00902-2501	HOMEL MERCADO JUSTINIANO 8 CALLE RAMIREZ SILVA ENSANCHE MARTINEZ MAYAGUEZ, PR 00680	JOSE RAMON CARRION MORALES PO BOX 9023884 SAN JUAN, PR 00902-3884
EDUARDO MORA ROMAN PO BOX 1114 ARECIBO, PR 00613-1114	MARIA INES JOVE RAMOS PO BOX 1114 ARECIBO, PR 00613-1114	MONSITA LECAROS ARRIBAS OFFICE OF THE US TRUSTEE (UST) OCHOA BUILDING 500 TANCA STREET SUITE 301 SAN JUAN, PR 00901

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